BILL NO. Z-74-11- 07

ZONING MAP ORDINANCE NO. Z- Last

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB9

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a ~~BB9~~ R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The East 55 feet of the West 100 feet of Lot No. 76
Lillie Place Addition

The West 75 feet of the East 105 feet of Lot 76
Lillie Place Addition

The East 75 feet of Lot 76 Lillie Place Addition

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Councilman

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice~~, at ~~the Council Chambers, City-County Building~~, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock ~~P.M., E.S.T.~~

Date: 11-12-74

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Kraus, seconded by Talarico, and duly adopted, placed on its passage. ~~Passed~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
	0	8		1
BURNS		X		
HINGA		X		
KRAUS		X		
MOSES		X		
NUCKOLS				X
SCHMIDT, D.		X		
SCHMIDT, V.		X		
STIER		X		
TALARICO		X		

DATE: 2-11-75

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

Lost

_____
CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

_____
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-11-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, The City Plan Commission conducted a public hearing on such proposed ordinance on January 20, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 27, 1975.

Certified and signed this
28th day of January, 1975.

Charles N. Hall
Secretary

Bill No. Z-74-11-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. BB9

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO NOT PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

DATE 2-11-75 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

~~ACCIDENT REPORT~~ ACCOUNT

№ 1957

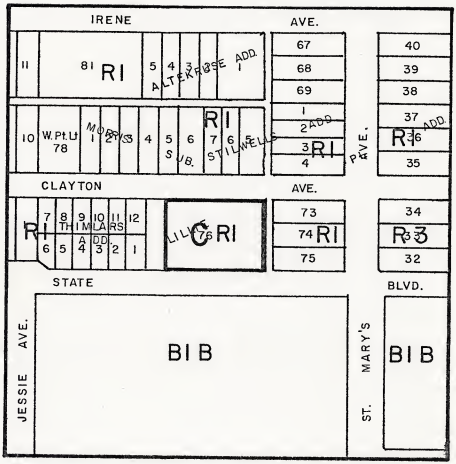
FT. WAYNE, IND., Oct 15 19 74

RECEIVED FROM W. Sheets, Faith, Foy $ 50 00

THE SUM OF Fifty dollars 00/100 DOLLARS

ON ACCOUNT OF Rezone R1-B-3
Lot 76 - Lillie Pl add (3 pts)

N. Hartman
AUTHORIZED SIGNATURE



C – CHANGE FROM RI TO R3

Z-74-11-07

N

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed Oct. 15 1974

Intended Use Offices

I/We Wayne Sheets Mr. Mrs Faith Thomas D Fox
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-1 district to a/an R-3 district the property described as follows:

1204 W. State Blvd. —
East 55 ft. of West 100' Lot 76 Tillie Place Add.

1106 W. State Blvd. —
West 75' of East 150' Lot 76 Tillie Place Add.

East 75' Lot 76 Tillie Place add.
1104 W. State Blvd.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
WAYNE E. SHEETS	1204 W. STATE	Wayne E. Sheets
MAYNARD D. FAITH	~~1206~~ 1106 W. STATE ST.	Maynard D. Faith
HELEN M. FAITH	1106 W. State St	Helen M. Faith
Thomas D Fox	1104 W State	Thomas D Fox

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
Wayne Sheets	1204 W State	484-3593

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

Ob. 9 + 017

THE CITY OF FORT WAYNE

October 7, 1974

Mr. Wayne Sheets
1204 West State Blvd.
Fort Wayne, Indiana 46808

Dear Mr. Sheets:

The City Plan Commission Zoning Enforcement Officer and myself were informed recently of a possible zoning violation located at 1204 West State. As a result of the complaint the situation was investigated by this office. We found that a building permit was obtained by you on November 16, 1973 for the construction of a Private Detached Two Car Garage. The building constructed based on the building permit is not a private detached two car garage but is instead the location of a business for Sheets Plumbing & Heating. The zoning at 1204 West State Street is "R1" Single Family, and as such does not permit business uses.

This letter is written to inform you that you are in violation of Chapter 36, Section 14 of the Municipal Code and also that you have not constructed, at this address, the type of structure represented to the Building Department in getting your building permit on November 16, 1973. You are hereby given notice that if this present violation continues beyond the 14th day of October, the matter will be referred to the City Attorney for action as referred to in Chapter 36, Section 25 of the Municipal Code.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING

Gary F. Baeten

Gary F. Baeten
Zoning Administrator
Division of Long Range Planning and
Zoning

GFB:pr

Mr Baeten and Commission,

In regards to the rezoning hearing on 1204 W. State St.

I personally will not be able to attend said meeting, as I will be gone out of town at this time.

What I say in this letter is exactly what I would say if I were to attend the meeting.

I with the rest of the neighbors are against rezoning the property at 1204 W. State St.

We do not want this rezoning granted, do to the fact Mr Sheets has broken the law and we see no reason why

he should be rewarded for having broken the law instead of being punished.

I talked to Mr Carpenter and he told me he has proof that all of Mr Shutts activities in this case were premeditated

Mrs Marvin Sauers
2405 St Marys ave.

RECEIVED
JAN 8 1975
FORT WAYNE CITY
PLAN COMMISSION

We, the undersigned property owners who are residing at following addresses opposite signatures do hereby state: We are against rezoning of lot and premises at 1204 West State Blvd. as to any zoning reclassification at all.

Geary W. Carpenter	1108 Clayton Ave.
Rita L. Carpenter	1108 Clayton Ave.
Shirley Sauers	2405 St Marys ave.
Irene Driver	1126 Clayton Ave.
Virginia Chivington	1202 Clayton ave. 46808
Donald Chivington	1202 Clayton ave.
Bertha Seibold	1106 Clayton ave
Jeanette Bedd	1210 Clayton ave
Bea Crocul	1206 Clayton Ave
Gladys Kelder	1212 Clayton ave.
MR MRS KAHLENBECK	1224 Clayton ave
Mr + Mrs Jerry Morel	1221 Clayton Ave.
Marjorie Heim	1206 W. State
Mrs. A. Nicolet.	1226 Clayton Ave.
Edward J. Coy	1217 Clayton Ave
Hilda Trinkelein	2415 St. Marys Ave.
Mr & Mrs Vaughn Dale	1229 Clayton Ave
Mrs Dorothy A. Jensen	2307 St Mary's
Mrs Connie Morlock (owner)	2315 St Marys (rental) (owner)
J L Duplanty	2301 St Marys ave
Rilla E. Bryer	1302 Clayton Avenue
Mrs. Gary Warrick	1220 Clayton Avenue

We the undersigned property owners who are residing at following addresses opposite signatures do hereby state: We are against rezoning of lot and premises at 1204 West State Blvd. as to any zoning reclassification at all.

Arvilla Fay Hobbs 1212 W. State St.

Pearl Ensch 1224 W. State Blvd.

Leona Beer 1230 W. State Blvd.

Mr. & Mrs. Paul M. Waters 1302 W. State Blvd.

Miss Elsie Sible 1318 W. State St

Merle E. Vice 1310 Clayton ave.

1314 Clayton

Mr. & Mrs. Gerald L. Prumm 1324 W. State

Dear Mr. Barton,

Enclosed with this letter is a petition which I showed you personally within the last three months. The signatures on this petition were acquired between the dates of October 1st and October 17th, 1974. The heading of said petition fully explains our position on the lot and property at 1204 W. State Blvd. owned by Mr. Sheets.

We have visited all the people in the neighborhood recently and we all feel the same, that for a man who has broken the law and has been offensive as much as Mr. Sheets has, that this should continue no longer after the hearing on his petition for rezoning.

We trust that you will put our petition along with this letter in your files in regards to this case.

Gregory J. Carpenter
Rita L. Carpenter

Number assigned by Dave Keller's Office: # 3516

Admn. Appr. ✓

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-74-11-07

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning / Division of Long Range Planning and Zoning

SYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment Ordinance

Petition initiated by property owners to rezone property located as follows:

Part of Lot # 76 Lillie Place Addition, located on the north side of E. State Blvd. on the south side of Clayton Ave. and approximately 150 feet west of St. Marys Avenue.

From "R1" to "R3"

EFFECT OF PASSAGE Property is presently zoned an "R1" - One Family Residential. Petitioners are requesting an "R3" - Multiple Family Residential, which by the approval of the Board of Zoning Appeals would also permit an office or a studio.

EFFECT OF NON-PASSAGE Property would remain "R1"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulation